

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS (WORCESTER)

OCT 13 P 1:12

Scott Stern,
Plaintiff

v.

University of Massachusetts at Amherst
Health Center,
Bernadette Melby, Director of Health
Services,
Brian Burke, Associate General Counsel
University of Massachusetts at Amherst,
Board of Trustees of the University of
Massachusetts,
Massachusetts Board of Higher Education,
Massachusetts Division of Health Care
Finance and Policy,
Defendants

C.A. No. 4:04-cv-30176-FDS

**MOTION OF THE DEFENDANTS
MASSACHUSETTS BOARD OF HIGHER EDUCATION AND
MASSACHUSETTS DIVISION OF HEALTH CARE FINANCE AND POLICY
TO ENLARGE TIME TO FILE ANSWER OR RESPONSIVE PLEADING**

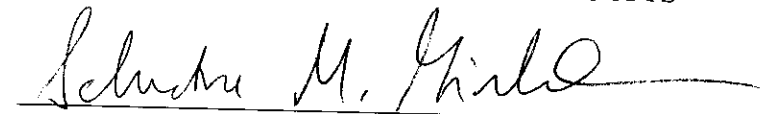
The Defendants Massachusetts Board of Higher Education (the "Board") and the Massachusetts Division of Health Care Finance and Policy (the "Division") move to enlarge the time to file an answer or responsive pleading to the plaintiff's Complaint by 30 days from October 13, 2004 to November 12, 2004. As grounds, the Board and the Division state that there is good cause to grant their motion for the following reasons:

On October 12, 2004, the Assistant Massachusetts Attorney General who represents the Board and the Division in this action (the "Board's and the Division's counsel") was assigned to represent them in this action. Due to pressing matters in other cases in his 40 case caseload, the

Board's and the Division's counsel needs 30 days to familiarize himself with the plaintiff's claims in the case and to draft an answer or responsive pleading to the plaintiff's Complaint.

Respectfully submitted,
THOMAS F. REILLY
ATTORNEY GENERAL OF MASSACHUSETTS

Date: 10/12/04



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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by mail (by hand)

on 10/13/04
